


JEREMIAH RAMON HILL,)
)
Petitioner,)
)
vs.) Case No. CIV-09-1003-F
)
MIKE MULLIN,)
)
Respondent.)

This action is filed by petitioner seeking habeas relief. On December 30, 2009, Magistrate Judge Robert E. Bacharach filed a Report and Recommendation (doc. no. 16) recommending that respondent's motion to dismiss (doc. no. 10) be granted on grounds of timeliness. The Report advised petitioner that failure to timely object to the Report forecloses appellate review of the suggested ruling contained in the Report. Petitioner has not responded to the Report and has not asked for an extension of time within which to respond. With no objection having been filed, the court, after review, hereby **ADOPTS, ACCEPTS** and **AFFIRMS** the Report and Recommendation of the Magistrate Judge. Accordingly, the motion to dismiss is **GRANTED** and this action is **DISMISSED** as untimely.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE